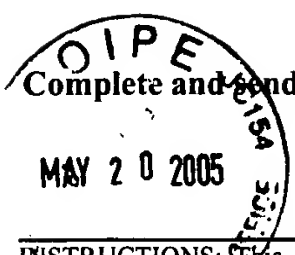


5-23-05

PART B - FEE(S) TRANSMITTAL



Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE  
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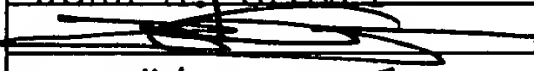
20995 7590 02/22/2005

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for Express mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

John M. Grover (Depositor's name)  
 (Signature)  
MAY 20, 2005 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/706,965	11/06/2000	Esmail Kiani-Azarbayjany	MLABS.018C3	8509

TITLE OF INVENTION: ACTIVE PULSE BLOOD CONSTITUENT MONITORING

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$0	\$1400	05/23/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
KREMER, MATTHEW J	3736	600-316000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). <input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. <input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.	1. Knobbe, Martens, Olson & Bear LLP 2. 3.
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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)  
PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.


(A) NAME OF ASSIGNEE: Masimo Laboratories, Inc.  
(B) RESIDENCE: (CITY and STATE OR COUNTRY) 40 Parker Irvine, CA 92618

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed: <input checked="" type="checkbox"/> Issue Fee <input type="checkbox"/> Publication Fee (No small entity discount permitted) <input type="checkbox"/> Advance Order - # of Copies _____	4b. Payment of Fee(s): <input checked="" type="checkbox"/> A check in the amount of the fee(s) is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input checked="" type="checkbox"/> The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number <u>11-1410</u> (enclose an extra copy of this form).
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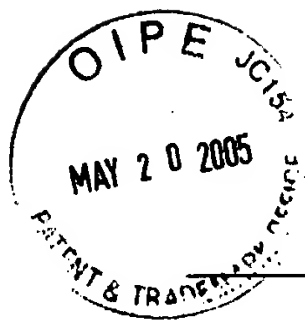
5. Change in Entity Status (from status indicated above)  
☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature  Date MAY 20, 2005  
Typed or printed name John M. Grover Registration No. 42,610

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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**PATENT**

Case Docket No. MLABS.018C3

Date: May 20, 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 09/706,965  
Applicants : Kiani et al.  
Filed : November 6, 2000  
TC/A.U. : 3736  
Examiner : Matthew J. Kremer  
Title : ACTIVE PULSE BLOOD  
CONSTITUENT  
MONITORING  
Docket No. : MLABS.018C3  
Customer No. : 20,995

Confirmation No. : 8509

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(Date)

John M. Grover, Reg. No. 42,610

**TRANSMITTAL LETTER**

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P.O. Box 1450  
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Dear Sir:

Enclosed for filing is the Issue Fee for the above-identified application:

- (X) a Form PTOL-85;
- (X) a check in the amount of \$1,400 to cover the issue fee; and
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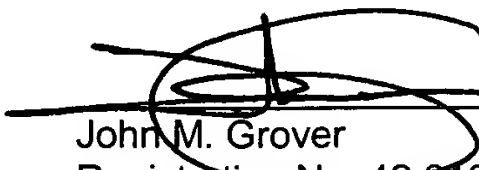
**PATENT**

Case Docket No. MLABS.018C3

Date: May 20, 2005

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The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.



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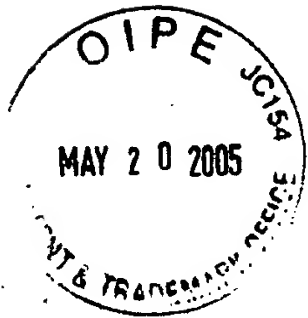
John M. Grover  
Registration No. 42,610  
Attorney of Record  
Customer No. 20,995  
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Intellectual Property Law

2040 Main Street  
Fourteenth Floor  
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jgrover@kmob.com

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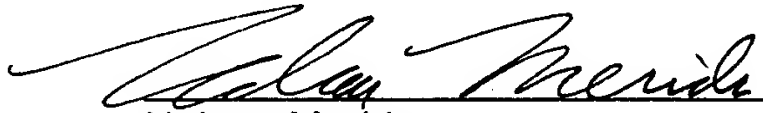
## CERTIFICATE OF MAILING BY "EXPRESS MAIL"

**Attorney Docket No.** : MLABS.018C3  
**Applicants** : Kiani et al.  
**For** : ACTIVE PULSE BLOOD CONSTITUENT  
MONITORING  
**Attorney** : John M. Grover  
**"Express Mail"**  
**Mailing Label No.** : EV 309080503 US  
**Date of Deposit** : May 20, 2005

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